REMARKS

Pursuant to the amendments above, the undersigned representative has amended claims 3-6 and 9-12, and cancelled claims 1, 2, 7, 8, and 13-15. As such, claims 3-6, 9-12, and 16-22 are pending. In the Office Action mailed January 11, 2002, the Examiner has made the following rejections: claims 1 and 2 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention; and claims 1-22 are rejected under 35 U.S.C. §103(a) as being unpatentable over Shurling et al. in view of Ferguson et al.

In view of the amendments and distinguishing remarks herein, the Applicant hereby respectfully requests reconsideration of claims 3-6, 9-12, and 16-22 and allowance of these claims.

Rejection of Claims 1 and 2 Under 35 U.S.C. §112

Claims 1 and 2 have been cancelled as stated above. Consequently, the undersigned representative respectfully requests that the rejection under 35 U.S.C. §112 be withdrawn.

Rejection of Claims 1-22 Under 35 U.S.C. §103(a) as Being Unpatentable Over Shurling et al. in View of Ferguson et al.

Claims 1, 2, 7, 8 and 13 –15 have been cancelled and will not be discussed further herein. Independent claims 3 and 12 have been amendment to further distinguish the claims from the prior at. As the remaining claims are dependent upon independent claims 3 and 12, the undersigned representative will address only claims 3 and 12 below.

Claim 3, as amended, is directed to rewarding customers based on the customer's relationships with both a financial institution and at least one third party. Further, information about these relationships is collected from each of the customer, the financial institution, and the at least one third party. The primary reference cited by the Examiner, Shurling et al., discloses a customer loyalty program that is implemented by a bank. The bank rewards customers for their loyalty based on information received from the customer and information generated within the bank with regard to the customer's relationship with the bank. The bank does not collect relationship information, nor does the back consider relationship information from any third party in determining a customer's reward. Consequently, Shurling et al., does not meet the recitations of claim 3 as presented herein.

Further, the secondary reference, Ferguson et al., does not cure the deficiencies of Shurling et al. Ferguson et al. describe a patronage incentive system wherein a customer is rewarded based on transactions made with a sponsor. In making a reward determination for the customer, the sponsor does not consider information about relationships that the customer has with one or more third parties. The sponsor rewards the customer based on the transactions that the sponsor has with the customer. Ferguson et al. do not describe a reward system wherein a financial institution and at least one third party provide information about their respective relationships with a customer to the financial institution, and the financial institution rewards the customers based on the information about the relationships.

Consequently, neither Shurling et al. nor Ferguson et al., either alone or in combination, disclose or suggest the combination of limitations recited in claim 3. The undersigned representative respectfully submits that claim 3 and dependent claims 4-6 and 9-11 are allowable over the cited prior art.

Claim 12, as amended, is directed to leveraging a relationship between a customer and a financial institution, wherein two types of value, immediate access value and vested access value, are added to a customer's account at the financial institution at predetermined intervals. The immediate access value is added to the account by the customer and the customer controls the amount and the predetermined intervals. The vested access value is added to the account by the financial institution according to the limitations set forth in claim 12. Neither Shurling et al. nor Ferguson et al., either alone or in combination, suggest the combination of limitations set forth in claims 12. At most, the reward systems set forth in the cited references disclose the submission of value by the financial institution or the sponsor. There is no discussion in either reference of separate types of value, immediate access and vested access, inputted into an account by and under the control of separate entities, the customer and the financial institution.

Consequently, the undersigned representative respectfully submits that claim 12 and dependent claims 16-22 are allowable over the cited prior art.

CONCLUSION

The undersigned representative respectfully submits that this application is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that the prosecution might be advanced by discussing the application with the undersigned representative, in person or over the telephone, we welcome the opportunity to do so.

Respectfully submitted,

Date: 3/12/02

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION

After the TITLE, the following heading and first paragraph has been added to the specification:

--Cross-Reference to Related Applications

This application claims priority to and incorporates by reference United States Provisional Patent Application No. 60/093,861 entitled "System and Method for Funding an Account and Consolidating Financial Relationships" filed July 23, 1998.--

IN THE CLAIMS

Claims 1 and 2 have been cancelled.

Claims 3-6 and 9-12 have been amended as follows:

3. (Amended) A method for leveraging [a]financial relationships between a [first participant] customer of a financial institution,[a plurality of second participants] the financial institution, and at least one third party, comprising:

collecting financial relationship information separately from each of the customer, the financial institution, and the at least one third party;

evaluating the financial relationships between the [first participant] customer and the financial institution and the customer and the at least one third party [plurality of second participants] based on the financial relationship information;

awarding a total value to the [first participant] customer based on the evaluation of the financial relationships;

holding the total value award in a first financial account located at [one of the plurality of second participants] the financial institution for a predetermined period of time;

selecting a second financial account located at [one of the plurality of second participants] the financial institution into which the total value award is transferred upon expiration of the predetermined period of time; and

redeeming the total value award into the second financial account upon expiration of the predetermined period of time.

4. (Amended) The method of leveraging [a] financial relationships as recited in claim 3, wherein evaluating the financial relationships between the [first participant] customer and the financial institution and the customer and the at least one third party [plurality of second participants] further comprises:

determining a number of individual components comprising the financial relationships; and

calculating an individual value for each of the individual components at the end of a set period of time.

5. (Amended) The method for leveraging [a] financial relationships as recited in claim 4, wherein the awarding the total value to a [first participant] customer based on the evaluation of the financial relationships further comprises:

multiplying the individual value for each of the individual components by a pre-selected percentage to obtain a contribution amount; and

adding the contribution amount to the first financial account.

6. (Amended) The method for leveraging [a] financial relationships as recited in claim 3, wherein the [plurality of second participants are] at least one third party is selected from the group consisting of [financial institutions, financial institution affiliates, and outside service providers] a credit card company, a real estate company, an accounting company, and an insurance company.

Claims 7 and 8 have been deleted.

9. (Amended) The method for leveraging [a] financial relationships as recited in claim 3, wherein the first financial account is a savings account.

10. (Amended) The method for leveraging [a] financial relationships as recited in claim 3, wherein the second financial account is a brokerage account.

11. (Amended) A method for leveraging [a] financial relationships as recited in claim 10, wherein the brokerage account is selected from the group consisting of a money market account, a mutual fund, and an annuity.

12. (Amended) A method for leveraging a financial relationship between [multiple participants] a customer and a financial institution, comprising:

establishing a financial account at the financial institution for the benefit of the customer;

adding value to the financial account at predetermined intervals, wherein the value is comprised of immediate access value and vested access value, and further wherein the immediate access value is added to the first financial account by the customer in an amount determined by the customer and at the direction of the customer;

calculating the vested access value by

(a) determining a number of individual components comprising the financial relationship[;],

(b) calculating an individual value for each of the individual components at the end of a set period of time[;],

(c) multiplying the determined individual value of each of the individual components by a pre-selected percentage to obtain a [total] vested access value[award]; and

adding the [total] vested access value[award] to [a first] the financial account[;], wherein the immediate access value is retrievable by the customer from the financial account without restriction, but the vested access value is only retrievable by the customer after a predetermined period of time.

[holding the total value award in the first financial account under the control of a first of the multiple participants for a predetermined period of time;

selecting a second financial account under the control of the first of the multiple participants into which the total value award is to be transferred upon expiration of the predetermined period of time;

transferring the total value award into the second financial account.]

Claims 13-15 have been cancelled.